

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

ANGEL AVALOS,

Petitioner,
VS.

UNITED STATES OF AMERICA,
Respondent.

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CIVIL ACTION NO. 1:19-CV-54

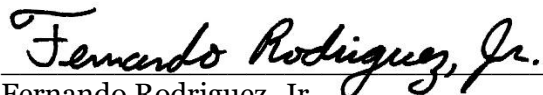
ORDER

In April 2019, Petitioner filed his Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Doc. 1). The Magistrate Judge issued a Report and Recommendation (Doc. 23) recommending that the Court dismiss Petitioner's Motion as untimely filed or denied as meritless.

Petitioner timely filed objections to the Report and Recommendation. (Movant's Response, Doc. 26) His objections are substantively identical to the arguments he presented in his original Motion, which the Magistrate Judge addressed in his Report and Recommendation. After reviewing the matter de novo, the Court agrees with the Magistrate Judge's reasoning and application of the law. Accordingly, the Court ADOPTS the Report and Recommendation, and it is:

ORDERED that Petitioner's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Doc. 1) is **DISMISSED** as untimely filed or, alternatively, as meritless.

SIGNED this 31st day of October, 2019.


Fernando Rodriguez, Jr.
United States District Judge